

STAFF REPORT

Meeting Date: April 16, 2003

Consent

LAFCO CASE

NAME & NO.:

03-06 Ojai Valley Sanitary District Annexation (Parcels A, B, and C) – Burnham-Creek-Edison

PROPOSAL:

Parcel A: Annexation of four parcels and a portion of Burnham Road, approximately 1.35 acres, into the Ojai Valley Sanitary District for the purposes of providing sanitary sewer service for private residences.

Parcel B: Annexation of a parcel and a portion of Edison Drive, approximately 12,632 square feet, into the Ojai Valley Sanitary District for the purposes of providing sanitary sewer service for a residence.

Parcel C: Annexation of a parcel and a portion of Creek Road, approximately 15,246 square feet, into the Ojai Valley Sanitary District for the purposes of providing sanitary sewer service for a residence.

PROPONENT:

Ojai Valley Sanitary District by Resolution.

SIZE (TOTAL):

Approximately two acres

**LOCATION &
ASSESSOR**

PARCEL NO.S:

Parcel A: The proposal area is south of Highway 150 and immediately south of Sycamore Road in the Oak View area and the City of Ojai's Area of Interest. The parcels are identified as APN 031-0-091-085 (283 Burnham Road), APN 031-0-092-015 (284 Burnham Road), APN 031-0-091-095 (285 Burnham Road), and APN 031-0-092-135 (288 Burnham Road).

COMMISSIONERS AND STAFF

COUNTY:

Steve Bennett
Kathy Long
Alternate:
Linda Parks

CITY:

John Zaragoza, Vice Chair
Evaristo Barajas
Alternate:
Don Waunch

SPECIAL DISTRICT:

Jack Curtis
Dick Richardson
Alternate:
Ted Grandsen

PUBLIC:

Louis Cunningham, Chair
Alternate:
Kenneth M. Hess

EXECUTIVE OFFICER:

Everett Millais

PLANNER III:

Hollee Brunsky

CLERK:

Debbie Schubert

LEGAL COUNSEL:

Noel Klebaum

Parcel B: The proposal area is southwest of Creek Road and bounded to the south by San Antonia Creek in the Oak View area and in the City of Ojai's Area of Interest. The parcel is identified as APN 034-0-120-205 (10180 Creek Road).

Parcel C: The proposal area is east of Ventura Avenue and west of the Ojai Valley Trail in the Casitas Springs area and the City of Ojai's Area of Interest. The parcel is identified as APN 061-0-212-020 (8346 Edison Drive).

NOTICE: This matter has been noticed as prescribed by law.

RECOMMENDATION:

Adopt the attached resolution (LAFCO 03-06) making determinations and approving the Ojai Valley Sanitary District Annexation (Parcels A, B, and C) – Burnham-Creek-Edison and determine the project is categorically exempt from the California Environmental Quality Act under Section 15319(a) of the CEQA Guidelines as determined by the Ojai Valley Sanitary District.

GENERAL ANALYSIS:

1. Land Use and Development:

A. Site Information

PARCEL A:

	Land Use	Zone District Classification	General Plan Designation
Existing	Four lots; Each has one single family dwelling	County: R-E-20; Rural Exclusive, 20,000 sq. ft. minimum lot size	County: Existing Community, Urban Reserve Overlay, 1-2 dwelling units per acre
Proposed	No change	No Change	No Change

PARCEL B:

	Land Use	Zone District Classification	General Plan Designation
Existing	Single-family dwelling	County: R-E-10; Rural Exclusive, 10,000 sq. ft. minimum lot size	County: Existing Community, Urban Reserve Overlay, 2-4 dwelling units per acre
Proposed	No change	No Change	No Change

PARCEL C:

	Land Use	Zone District Classification	General Plan Designation
Existing	Single-family dwelling	County: O-S-10; Open Space, 10 acre minimum lot size	County: Open Space
Proposed	No Change	No Change	No Change

B. Surrounding Land Uses and Zoning and General Plan Designations

All parcels are in the unincorporated area of the County of Ventura. Each proposal area is surrounded by similar land uses. The surrounding zoning and general plan designations are also similar.

C. Topography, Natural Features and Drainage:

Parcel A:

These parcels have sloping of about 2-5 percent, draining to Burnham Road.

Parcel B:

This is a flat developed residential lot, draining to Edison Drive.

Parcel C:

This parcel is bounded to the south by San Antonio Creek and has slopes of 2-10 percent. Drainage is to Creek Road.

D. Conformity with Plans:

All parcels are within the unincorporated area of the County of Ventura and the City of Ojai's Area of Interest. None of the parcels are within the City of Ojai's sphere of influence or contiguous with the City of Ojai boundaries.

The residential uses of the parcels are consistent with the County's General Plan designations. Parcel C is subject to the County's Save Our Open Space and Agricultural Resource (SOAR) ordinance. However, the sewer connection will be for a single-family dwelling use that is allowed under SOAR.

2. Impact on Prime Agricultural Land, Open Space and Agriculture:

Parcel A:

The proposal area is located in a rural neighborhood and is zoned for residential development. Each of the four parcels has an existing single-family dwelling. There is no agriculture on the sites, nor is there any surrounding agricultural use. The sites are not considered open space nor located within a greenbelt. There will be no impact on agricultural or open space lands.

Parcel B:

The proposal area is located in an urbanized, residential area. The parcel has an existing single-family dwelling. There is no agriculture on site, nor is there any surrounding agricultural use. The site is not considered open space nor located within a greenbelt. There will be no impact on agricultural or open space lands.

Parcel C:

The proposal area is located in a rural area and has a general plan designation of Open Space. The zoning for the parcel is O-S-10, Open Space, 10-acre minimum which permits single-family dwelling uses. There is no agriculture on the site and the site is not located within a greenbelt. Although the service connection will be on land designated for open space, there will be no impact on agricultural or open space lands.

3. Population:

There are a total of six single-family dwellings in the entire proposal area. According to the Ventura County Registrar of Voters, there are a total of seven registered voters in the proposal area. The site is considered uninhabited as there are less than 12 registered voters.

4. Services and Controls – Need, Cost, Adequacy and Availability:

Parcel A:

Each parcel is currently receiving service from the Ojai Valley Sanitary District. The connections were for septic failure and for new construction of additional square footage to single-family dwelling construction. The proposals are to finalize agreements with the Ojai Valley Sanitary District to annex to the District for service connections. No change to any parcel will result from annexation to the District.

Parcel B:

The parcel is currently receiving service from the Ojai Valley Sanitary District. The connection was for a septic failure and the proposal is to finalize an agreement with the Ojai Valley Sanitary District to annex to the District for service connection. No change to the parcel will result from annexation to the District.

Parcel C:

The parcel is currently receiving service from the Ojai Valley Sanitary District. The connection was for new construction of a single-family dwelling. The proposal will finalize agreements with the Ojai Valley Sanitary District to annex to the District for service connection. No change to the parcel will result from annexation to the District.

5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

Maps sufficient for filing with the State Board of Equalization have been received from the proponent.

6. Assessed Value, Tax Rates and Indebtedness:

Parcel A

The proposal areas are presently within tax rate area 91040 (\$1.091172). Upon completion of this annexation the areas will be assigned to a new tax rate area. The total assessed land value of each parcel per the 2002-2003 tax roll is \$99,223. The total assessed land value of the entire proposal area is \$396,892.

Parcel B

The proposal area is presently within tax rate area 91172 (\$1.091172). Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed land value of the parcel per the 2002-2003 tax roll is \$79,703.

Parcel C

The proposal area is presently within tax rate area 91061 (\$1.064600). Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed land value of the parcel per the 2002-2003 tax roll is \$13,525.

Indebtedness

The Ojai Valley Sanitary District assumed the general obligation bonded indebtedness of the former Meiners Oaks Sanitary District. The entire District is responsible for certificates of participation funding for the rehabilitation of the City of Ojai Project and a State Revolving Loan funding for the Treatment Plant Improvement Project completed in 1997. The indebtedness is to be repaid

through special assessments collected with property taxes. Operation and maintenance of OVSD lines and facilities are financed by monthly sewer service charges.

7. Environmental Impact of the Proposal:

Ojai Valley Sanitary District, as the lead agency for this proposal, found the proposal to be categorically exempt under Section 15319(a) of the California Environmental Quality Act Guidelines that includes annexations to special districts containing existing private structures. As the annexation is to legitimize sanitary sewer connections for single-family dwellings, the categorical exemption is appropriate for this proposal.

8. Regional Housing Needs

The proposal is for annexation of six parcels to the Ojai Valley Sanitary District. This proposal will have no effect on the fair share of the regional housing needs for the area.

9. Landowner and Annexing Agency Consent:

The applicant certifies that the owners involved in this proposal have given their written consent to annex to the District. The Ojai Valley Sanitary District has requested a waiver of conducting authority proceedings.

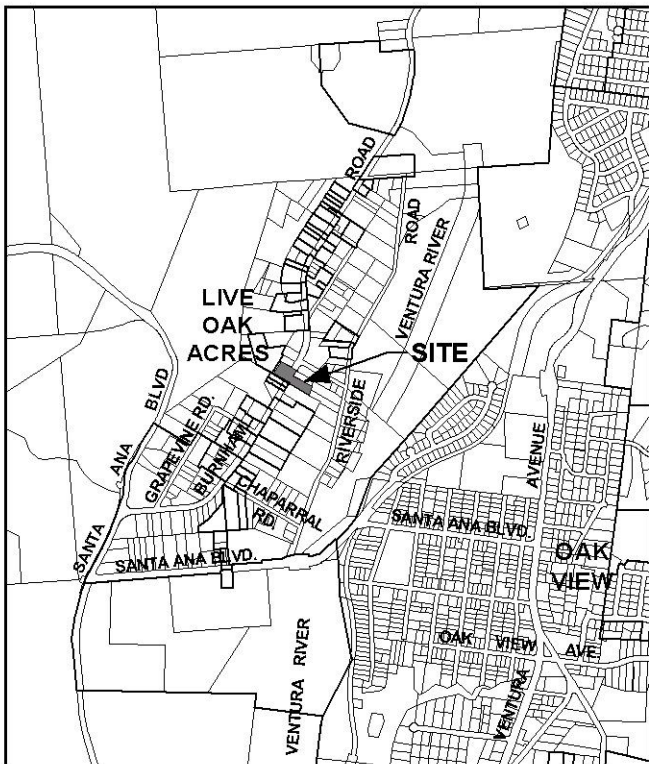
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted with this application wishes to deny or modify this proposal, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

STAFF: Hollee King Brunsky, AICP, Planner III

BY: _____
Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
(2) LAFCO 03-06 Resolution



LEGEND



Existing Ojai Valley Sanitary District Boundary



Proposed Annexation Area

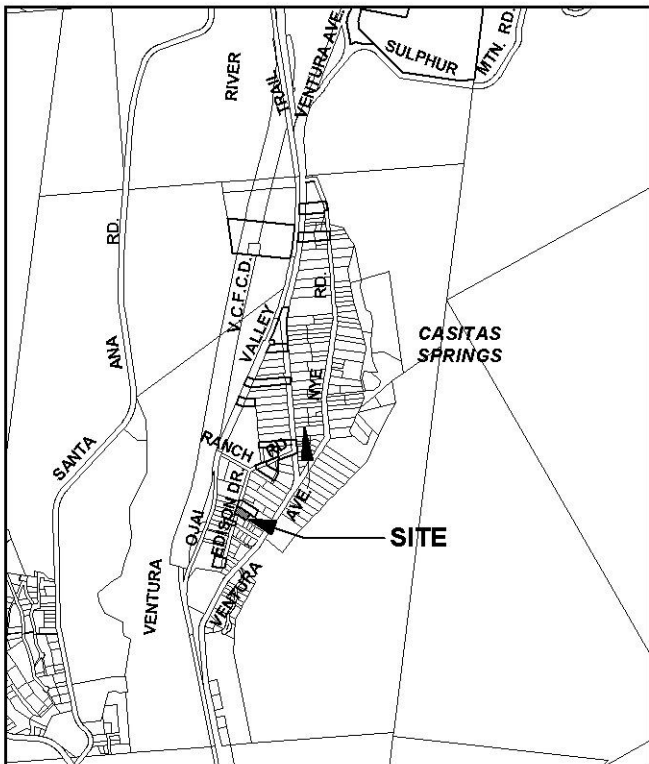
LAFCO 03-06

VICINITY MAP

OJAI VALLEY SANITARY DISTRICT ANNEXATION
BURNHAM-CREEK-EDISON - OVSD NO. 2003-01
PARCELA



1"= 1000'



LEGEND



Existing Ojai Valley Sanitary District Boundary



Proposed Annexation Area

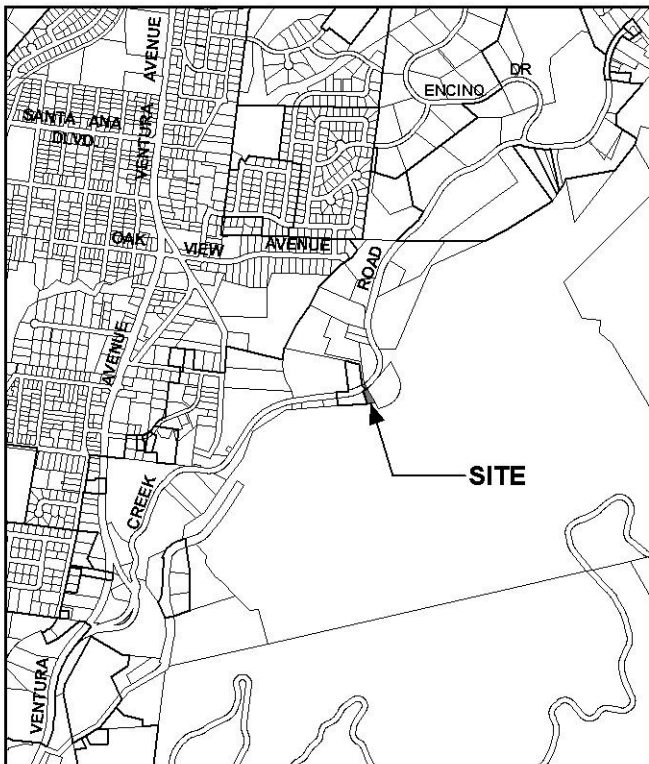
LAFCO 03-06

VICINITY MAP

OJAI VALLEY SANITARY DISTRICT ANEXATION
BURNHAM-CREEK-EDISON - OVSD NO. 2003-01
PARCEL B



1"= 1000'



LEGEND



Existing Ojai Valley Sanitary District Boundary



Proposed Annexation Area

LAFCO 03-06

VICINITY MAP

OJAI VALLEY SANITARY DISTRICT ANEXATION
BURNHAM-CREEK-EDISON - OVSD NO. 2003-01
PARCEL C



1"= 1000'

LAFCO 03-06

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE OJAI VALLEY SANITARY
DISTRICT ANNEXATION (PARCEL A, B, AND C) –
BURNHAM – CREEK – EDISON**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration by the Commission on the proposal; and

WHEREAS, the proposal was duly considered and approved on April 16, 2003, as specified in the public notice; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, information satisfactory to this Commission has been presented that all property owners within the proposal area have given their written consent to the proposal; and

WHEREAS, proof has been given to the Commission that the affected territory has fewer than 12 registered voters and is considered uninhabited; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Ventura County as follows:

- (1) The Executive Officer's Staff Report and recommendation for approval of the proposal dated April 16, 2003 is adopted.
- (2) Said annexation is hereby approved as submitted.
- (3) Said territory is found to be uninhabited.

- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 03-06 - OJAI VALLEY SANITARY DISTRICT ANNEXATION (PARCEL A, B, AND C) – BURNHAM – CREEK – EDISON**
- (5) The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A attached hereto and made a part hereof.
- (6) The Commission has reviewed and considered the lead agency's determination that the proposal is Categorically Exempt under Section 15319 (a), of the State CEQA Guidelines, and concurs with the lead agency's determination.
- (7) The Commission directs staff to file a Notice of Exemption in the same manner as the lead agency under Section 15062.
- (8) Satisfactory proof has been given that the that all property owners within the proposal area have given their written consent to the proposal, and that all affected agencies that will gain territory as a result of the proposal have consented in writing to the waiver of the conducting authority proceedings, the conducting authority proceedings are waived and the annexation is approved without further notice, election or hearing.
(Government Code Section 56837[c]).

This resolution was adopted on April 16, 2003

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: Ojai Valley Sanitary District
Ventura County Assessor
Ventura County Auditor/Controller
Ventura County Surveyor
Ventura County Planning
Ventura County Elections

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Jill Rawls*

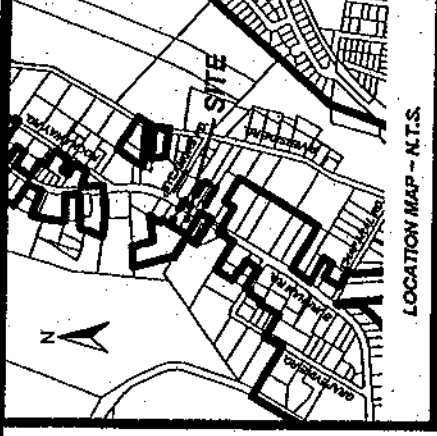
Date: 3/27/03

03-06

EXHIBIT A

B-1

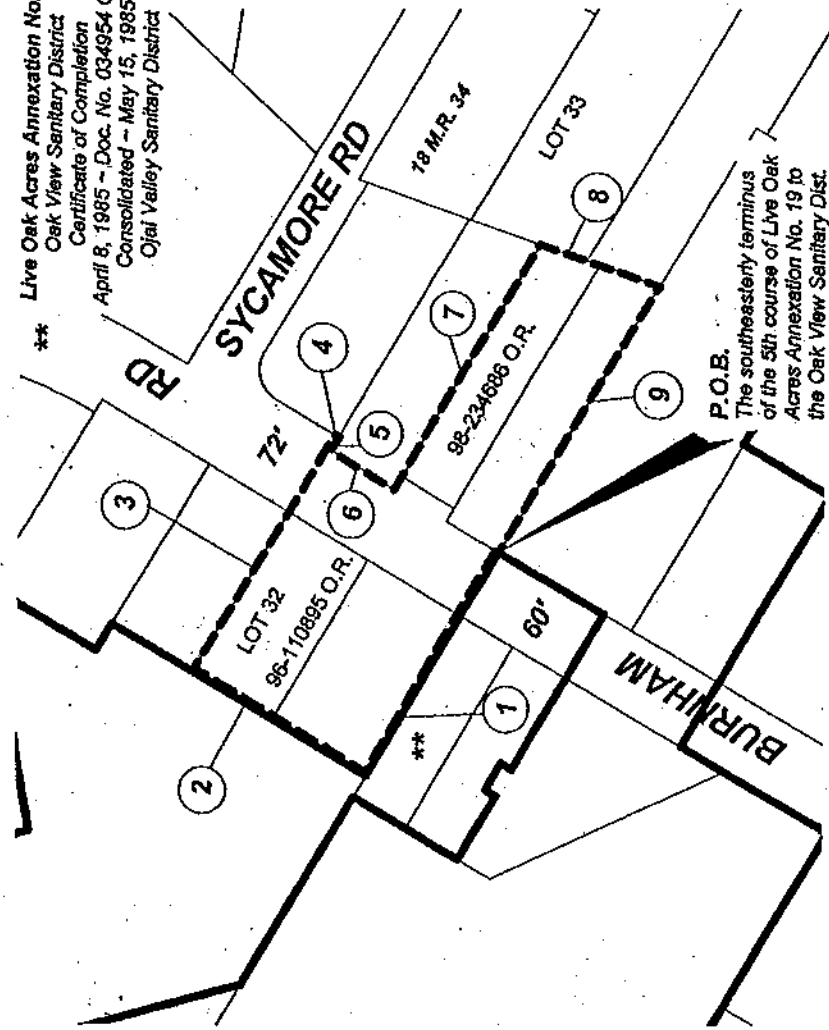
** Live Oak Acres Annexation No. 19
Oak View Sanitary District
Certificate of Completion
April 8, 1985 - Doc. No. 034954 O.R.
Consolidated - May 15, 1985
Ojai Valley Sanitary District



Prepared By:
Ojai Valley Sanitary District
1072 Tico Road
Ojai, CA 93023
(805) 646-5548

Courses	
1st -	N 80°21'00" W 210.00'
2nd -	N 29°39'00" E 165.00'
3rd -	S 60°21'00" E 222.00'
4th -	S 29°39'00" W 4.12'
5th -	N 80°21'00" W 12.00'
6th -	S 29°39'00" W 60.88'
7th -	S 60°21'00" E 230.46'
8th -	S 18°35'37" W 101.89'
9th -	N 80°21'00" W 250.00'

1.35 Acres



EXISTING OJAI VALLEY SANITARY DISTRICT BOUNDARY

PROPOSED ANNEXATION BOUNDARY

OJAI VALLEY SANITARY DISTRICT ANNEXATION
BURNHAM / CREEK / EDISON
PARCEL A
(O.V.S.D. NO. 2003-01)

Those portions of Lot 32, Lot 33 and Burnham Road, Live Oak Acres, in the County of Ventura, State of California, as said Lots and Road are shown on the map of, recorded in the Office of the County Recorder of said County in Book 18, Page 34 of Miscellaneous Records.

February 11, 2003

Sheet 1 of 1

EXHIBIT "B"

**OJAI VALLEY SANITARY DISTRICT ANNEXATION
BURNHAM / CREEK / EDISON****PARCEL A
(O.V.S.D. NO. 2003-01)****EXHIBIT****A**

03-06

Being a portion of Lot 32, Lot 33 and Burnham Road, in the County of Ventura, State of California, as said Lots and Road are shown on the map of Live oak Acres, recorded in the Office of the County Recorder of said County in Book 18, Page 34 of Miscellaneous Records, described as follows:

Beginning at the most westerly corner of said Lot 33, said corner being the southeasterly terminus of the 5th course of Live Oak Acres Annexation No. 19 to the Oak View Sanitary District as shown and described in the Certificate of Completion recorded in the Office of said County Recorder on April 8, 1985 as Document No. 034954 of Official Records and having since been Consolidated into the Ojai Valley Sanitary District on May 15, 1985; thence, along the existing boundary of said Ojai Valley Sanitary District by the following two courses:

- 1st - North 60°21'00" West 210.00 feet; thence,
- 2nd - North 29°39'00" East 165.00 feet to the most northerly corner of the parcel described in the Grant Deed recorded on August 14, 1996 in the Office of said County Recorder as Document No. 96-110895 of Official Records; thence, along the northeasterly line of said parcel the southeasterly prolongation thereof,
- 3rd - South 60°21'00" East 222.00 feet to the southeasterly line of said Burnham Road, 72.00 feet wide; thence, along said southeasterly line by the following three courses:
- 4th - South 29°39'00" West 4.12 feet; thence,
- 5th - North 60°21'00" West 12.00 feet; thence,
- 6th - South 29°39'00" West 60.88 feet to the most northerly corner of the parcel described in the Grant Deed recorded on December 21, 1998 in the Office of said County Recorder as Document No. 98-234686 of Official Records; thence, along the northeasterly line of said parcel,
- 7th - South 60°21'00" East 230.46 feet to the most easterly corner of said parcel described in the Grant Deed recorded on December 21, 1998 in the Office of said County Recorder as Document No. 98-234686 of Official Records; thence, along the southeasterly line of said parcel and the southwesterly prolongation thereof,
- 8th - South 18°35'37" West 101.89 feet to the southwesterly line of said Lot 33; thence, along said southwesterly line,

9th - North 60°21'00" West 250.00 feet to the point of beginning and containing 1.35 acres.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

John Rawls

Date:

3/27/03

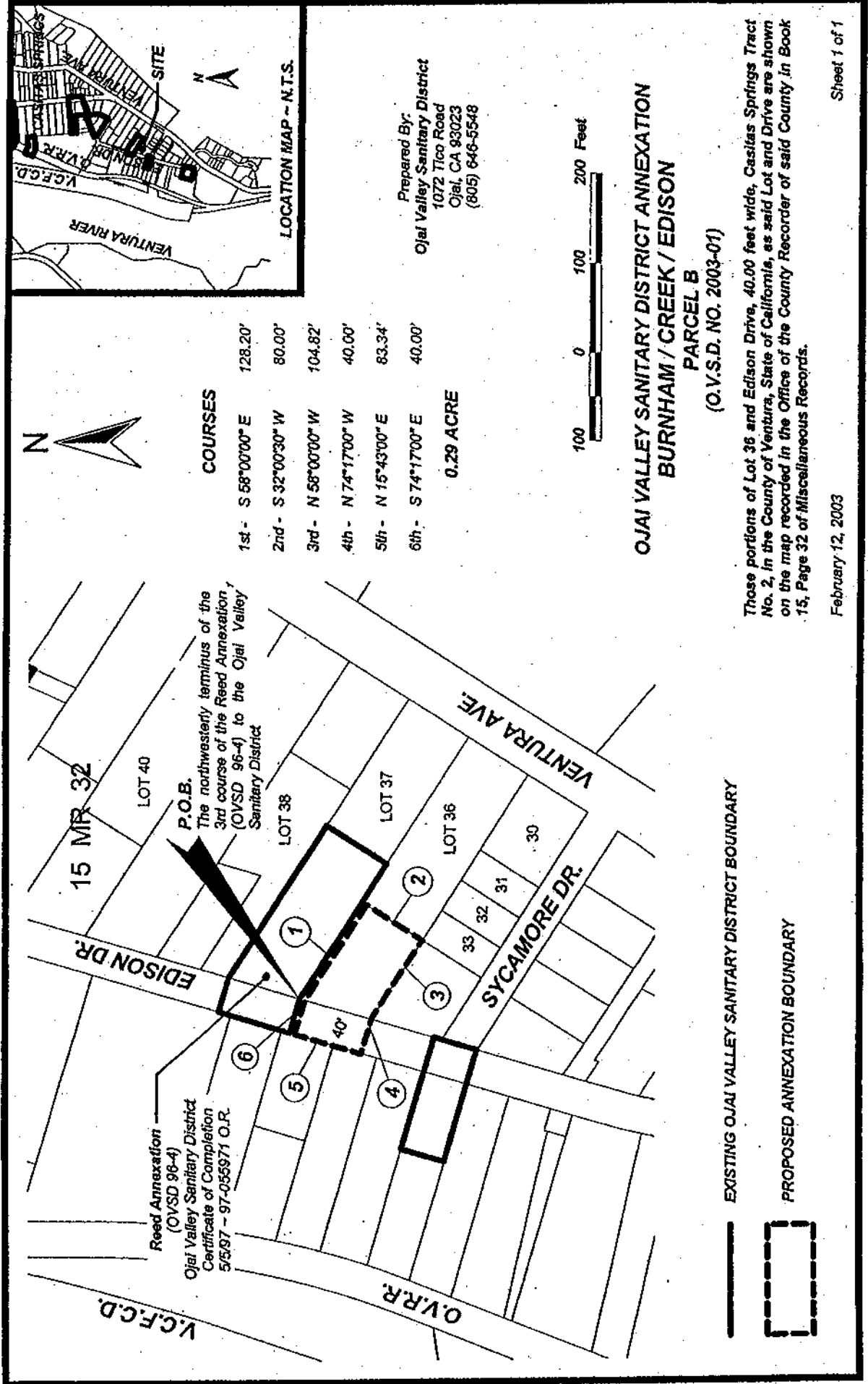
The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Bill Fawcett*

Date: *3/27/03*

03-06

B-2



**OJAI VALLEY SANITARY DISTRICT ANNEXATION
BURNHAM / CREEK / EDISON
PARCEL B
(O.V.S.D. NO. 2003-01)**

03-06

Those portions of Lot 36 and Edison Drive, 40.00 feet wide, Casitas Springs Tract No. 2, in the County of Ventura, State of California, as said Lot and Drive are shown on the map recorded in the Office of the County Recorder of said County in Book 15, Page 32 of Miscellaneous Records, described as follows:

Beginning at the most northerly corner of said Lot 36, said corner also being the northwesterly terminus of the 3rd course of the Reed Annexation (OVSD 96-4) to the Ojai Valley Sanitary District as shown and described in the Certificate of Completion recorded on May 5, 1997 in the Office of said County Recorder as Document No. 97-055971 of Official Records; thence, long the existing boundary of said Ojai Valley Sanitary District along the northeasterly line of said Lot 36,

- 1st - South 58°00'00" East 128.20 feet; thence,
- 2nd - South 32°00'30" West 80.00 feet to the southwesterly line of said Lot 36; thence, along said southwesterly line,
- 3rd - North 58°00'00" West 104.82 feet to the easterly line of said Edison Drive, 40.00 feet wide; thence, at right angles to said easterly line,
- 4th - North 74°17'00" West 40.00 feet to the westerly line of said Edison Drive, 40.00 feet wide; thence, along said westerly line,
- 5th - North 15°43'00" East 83.34 feet to the existing boundary of said Ojai Valley Sanitary District; thence,
- 6th - South 74°17'00" East 40.00 feet to the point of beginning and containing 0.29 acre.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

Yell Rautund

Date:

3/27/03

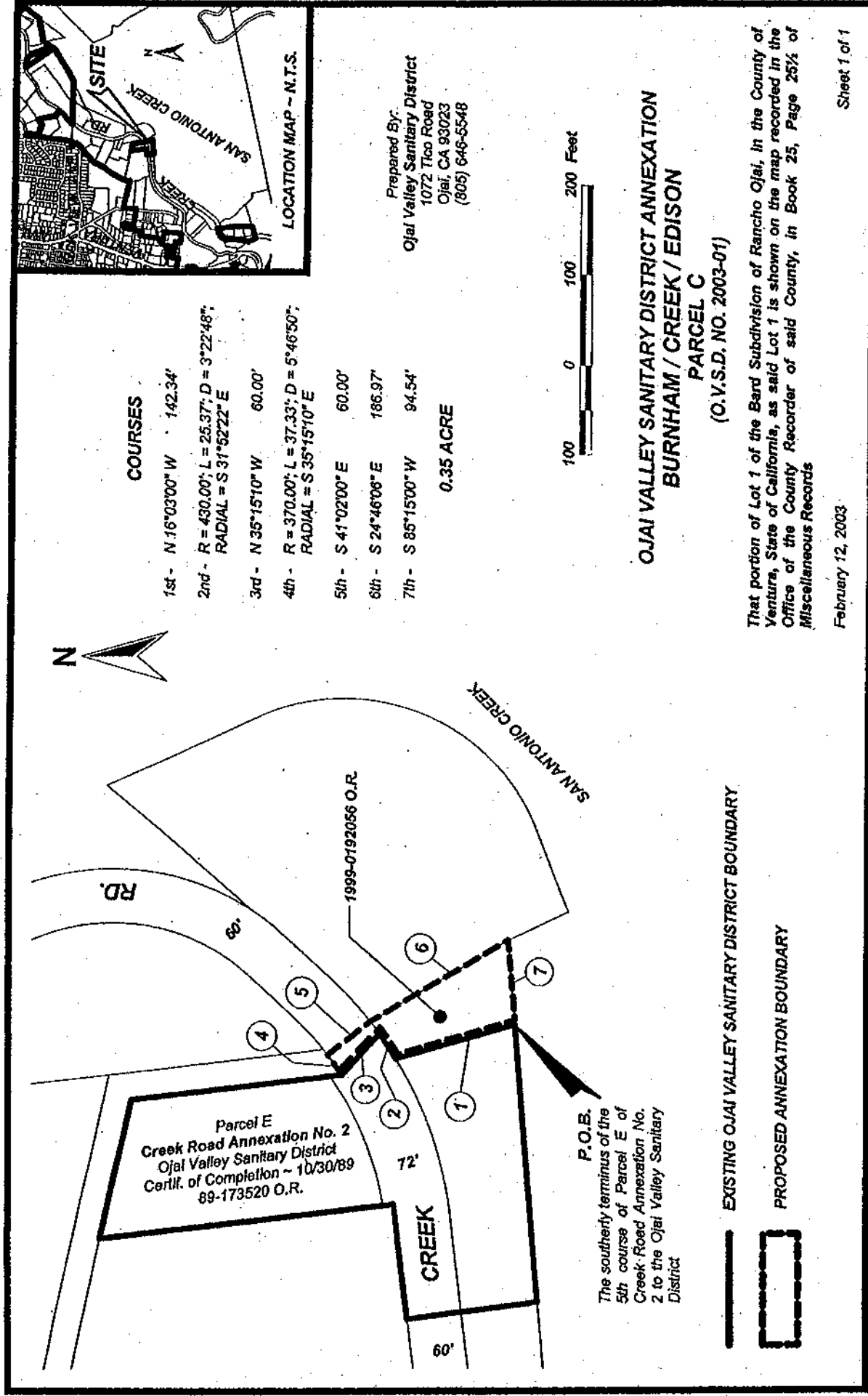
The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Yell Rawlins*

Date: 3/27/03

03-06

B-4



COURSES

- 1st - N 16°03'00" W 142.34'
 - 2nd - R = 430.00'; L = 25.37'; D = 3°22'48";
RADIAL = S 31°52'22" E
 - 3rd - N 35°15'10" W 60.00'
 - 4th - R = 370.00'; L = 37.33'; D = 5°46'50";
RADIAL = S 35°15'10" E
 - 5th - S 41°02'00" E 60.00'
 - 6th - S 24°46'08" E 186.97'
 - 7th - S 85°15'00" W 94.54'
- 0.35 ACRE

Prepared By:
Ojai Valley Sanitary District
1072 Tico Road
Ojai, CA 93023
(805) 646-5548

**OJAI VALLEY SANITARY DISTRICT ANNEXATION
BURNHAM / CREEK / EDISON
PARCEL C**

(O.V.S.D. NO. 2003-01)

That portion of Lot 1 of the Bard Subdivision of Rancho Ojai, in the County of Ventura, State of California, as said Lot 1 is shown on the map recorded in the Office of the County Recorder of said County, in Book 25, Page 25½ of Miscellaneous Records

February 12, 2003

Sheet 1 of 1

EXHIBIT "B"

**OJAI VALLEY SANITARY DISTRICT ANNEXATION
BURNHAM / CREEK / EDISON
PARCEL C
(O.V.S.D. NO. 2003-01)**

03-06

That portion of Lot 1 of the Bard Subdivision of Rancho Ojai, in the County of Ventura, State of California, as said Lot 1 is shown on the map recorded in the Office of the County Recorder of said County, in Book 25, Page 25½ of Miscellaneous Records, described as follows:

Beginning at the most southerly corner of the parcel described in the Grant Deed recorded on October 15, 1999 in the Office of said County Recorder as Document No. 1999-0192056 of Official Records, said corner also being the southerly terminus of the 5th course of Parcel E of Creek Road Annexation No. 2 to the Ojai Valley Sanitary District as shown and described in the Certificate of Completion recorded on October 30, 1989 in the Office of said County Recorder as Document No. 89-173520 of Official Records; thence, along the boundary of said Grant Deed and along the existing Ojai Valley Sanitary District boundary by the following three courses:

- 1st - North 16°03'00" West 142.34 feet to a point in the southeasterly line of Creek Road, 72.00 feet wide, said southeasterly line being a curve concaved northwesterly, having a radius of 430.00 feet, and having a radial to said point that bears South 31°52'22" East; thence, along said southeasterly line and curve,
- 2nd - Northeasterly 25.37 feet through a central angle of 3°22'48"; thence,
- 3rd - North 35°15'10" West 60.00 feet to a point in the northwesterly line of said Creek Road, 60.00 feet wide, said northwesterly line being a curve concaved northwesterly, having a radius of 370.00 feet, and having a radial to said point that bears South 35°15'10" East; thence, along said northwesterly line and curve,
- 4th - Northeasterly 37.33 feet through a central angle of 5°46'50"; thence,
- 5th - South 41°02'00" East 60.00 feet to the most northerly corner of said Grant Deed; thence, along the boundary of said Grant Deed by the following two courses:
- 6th - South 24°46'06" East 186.97 feet; thence,
- 7th - South 85°15'00" West 94.54 feet to the point of beginning and containing 0.35 acre.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

Date: 3/27/03